

LATINAS' PERCEPTION OF LAW ENFORCEMENT: FEAR OF DEPORTATION, CRIME REPORTING AND TRUST IN THE SYSTEM

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Why is this issue important?

- Specific types of violent crimes, such as rape and intimate partner violence (IPV), are often directed at women.
- Latinas are less likely to report crimes to the police, regardless of the severity of the crime.
- The underreporting of violence to the police may be compounded if the victim or the perpetrator are undocumented.



Source: (Sansón, 2016)

Latinos/Latinas are often victims of violent crimes—domestic violence or crimes involving weapons and/or injury, for example—at higher rates than Caucasians (Rennison, 2002, 2002; Truman, Langton, & Planty, 2013). Specific types of violent crimes, such as rape and intimate partner violence (IPV), are often directed at women (Black et al., 2011; Rennison, 2002). Existing research has found that IPV is commonly experienced by Latina immigrants (Davis & Erez, 1998). Latinas, however, are less likely to report crimes to the police, regardless of the severity of the crime (Davis & Henderson, 2003). The underreporting of violence to the police may be compounded if the victim or the perpetrator are undocumented.

Fear of Deportation and Willingness to Report Crime

Research suggests that fear of deportation decreases the likelihood of Latinos/Latinas to contact the police when they are victims of a crime (Ammar, Orloff, Dutton, & AguilarHass, 2005; Arguelles & Rivero, 1993; Menjivar & Bejarano, 2004; Reina, Lohman, & Maldonado, 2014; Vidales, 2010). In particular, Latinas who have been a victim of violent crimes, such as rape by border patrol agents and/or who have been victims of other human rights abuses in immigration detention have have additional reason to be afraid (Androff & Tavassoli, 2012; Arguelles & Rivero, 1993; Falcon, 2007). Latinos/Latinas who fear deportation are less likely to contact law enforcement when they are victims of a crime (Ammar, Orloff, Dutton, & AguilarHass, 2005; Arguelles & Rivero, 1993; Menjivar & Bejarano, 2004; Reina, Lohman, & Maldonado, 2014; Vidales, 2010). Undocumented Latinos, in particular, are less likely to contact the police, due to the the linkage between local law enforcemnt and border patrol (Menjivar & Bejarano, 2004). The acceptance of violence against women or inability of police to respond to crime in a woman's country of origin can carry over to the Latina immigrants' perception of the U.S criminal justice system, making the reporting of crime less likely (Menjivar & Bejarano, 2004; Menjivar & Salcido, 2002).

Latino immigrants who experience positive interactions with law enforcement report more positive attitudes towards police and greater willingness to call police in times of need (Conaway & Lohr, 1994; Davis & Henderson, 2003; Fleury-Steiner, Bybee, Sullivan, Belknap, & Melton, 2006; Vidales, Day, & Powe, 2009). Proficiency in the Spanish language can facilitate this police-community trust relationship (Skogan, 2005; Vidales, 2010), since language barriers often inhibit police investigations to crime scenes if the responding officers cannot communicate effectively with victims (Ammar et al., 2005; Herbst & Walker, 2001). Officers who arrive to a crime scene without the resources to communicate effectively with victims and witnesses often show frustration and inappropriately use children, neighbors, or the perpetrator as translators (Ammar et al., 2005; Herbst & Walker, 2001) negatively impacting the future use of law enforcement.

Latinas who have been a victim of violent crimes, such as rape by border patrol agents or who have been victims of other human rights abuses in immigration detention, experience an increased fear of law enforcement.

Methods

This study¹ explored the impact of (a) fear of deportation and (b) trust in the justice system on Latinas' willingness to report being victims of violent crime. The data for the study was collected from a sample of 1,049 adult Latina immigrants. The participants were self-identified females from a 2008 survey conducted by Pew Hispanic Center and were recruited using the random digit dialing method. The interviews were conducted in either English or Spanish depending on the language preference of each participant.²

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² To assess fear of deportation the survey asked, "Regardless of your own immigration status, how much do you worry that you, a family member, or a close friend could be deported?" with the following response options: 1 = Not much at all to 4 = A lot.

To assess Latinas' perceptions of the procedural fairness of the justice system, participants were also asked "How much confidence do you have that the police in your community will not use excessive force on suspects? How much confidence do you have that police officers in your community will treat Latinos/Hispanics fairly? How much confidence do you have that the courts in your community will treat Latinos/Hispanics fairly?" Response options for all three questions were as follows: 1 = Very little confidence to 4 = A great deal of confidence.

Last, to assess participants willingness to report being victims of violent crime participants were asked "If you were the victim of a violent crime, would you call the police to report this?" Response options were as follows: 1 = Definitely not to 4 = Definitely would.

Results

Fear of deportation was a significant predictor of Latinas' perceptions of the procedural fairness of the criminal justice system. Latina participants who expressed a greater fear of deportation had (1) less confidence that police would not use excessive force on a suspect; (2) less confidence that police would treat Latinos fairly; and (3) less confidence that the courts would treat Latinos fairly. For example, the study demonstrates that for each 1-point increase in fear of deportation Latinas had 10% less confidence that police would not use excessive force on a suspect. Similarly, the data show that for each 1-point increase in fear of deportation, Latina participants had 13% less confidence that the courts would treat Latinos fairly. Fear of deportation on immigrant Latinas has also shown to be a predictor of Latinas' willingness to report violent crimes.

“The fear of deportation was a significant predictor of Latinas' perceptions of the procedural fairness of the criminal justice system.”

The results indicate that Latina participants were less willing to report being victims of a violent crime to the police. Specifically, for each 1-point increase in fear of deportation, participants were 15% less likely to report being victims of a violent crime if there was an increase in fear of deportation.

In contrast, participants who had increased confidence that police would not use excessive force were 45% more willing to report being victim of a violent crime to the police. Similarly, participating Latinas were 32% more willing to report being victim of a violent crime when they had increased confidence that police would treat Latinos fairly.



Source: (Porte, 2013)

Latina participants who expressed a greater fear of deportation had:

- less confidence that police would not use excessive force on a suspect
- less confidence that police would treat Latinos fairly
- less confidence that the courts would treat Latinos fairly



Source: (Cervo, 2016)

Discussion

Fear of deportation affects Latinas' trust in the procedural fairness of the criminal justice system. This is consistent with other literature that has studied the extent to which fear of deportation impacts Latinas' perceptions of criminal justice systems (CITE). This study also found that fear of deportation was a predictor of Latinas' willingness to report violent crime. But interestingly, while the fear of deportation affects Latina immigrants' perceptions of police it is in fact, the perception of the police that affect Latina immigrants' willingness to report violent crime. Trust in the court system was not a significant factor in Latina immigrants' willingness to report violent crime. As anti-immigrant policies and laws escalate, the resulting increase in deportations and human rights violations may have an additional impact on women's perceptions of the criminal justice system.

Implications for Social Work

Research suggests that positive relationships between immigrant communities and law enforcement will increase Latinas' willingness to report violent crime and promote trust in law enforcement agencies (Ammar et al., 2005; Menjivar & Bejarano, 2004; Reina et al., 2014; Vidales, 2010). Social workers play an important role in bettering this relationship. Social workers should assist in training law enforcement agencies on important issues related to Latino communities. Enforcement agencies should also work to improve community-police relations by creating community review boards, hiring outreach liaisons with Spanish language proficiency, and inviting social workers to the table. These measures can lead to a better perception of police fairness among Latinas, which could lead to a greater sense of trust in police. Social workers can also play an important role through educating the community—particularly Latinas—about their respective rights. Programs such as the *promotora* model may be one way to achieve this goal. But social workers should also try to partner with immigration attorneys and legal assistance programs to educate Latina victims of violent crime about legal resources, social resources, and/or shelter services available to them. Educating Latinas and being proactive in this sense may be the best prevention strategy to reduce Latina victimization.

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